

"and/or" language which was used in original claim 1 and the specification at page 2.

In the Amendment filed on March 9, 2000, Applicant argued that the applied reference to Higashi (U.S. Patent No. 5,854,376) did not anticipate the claims under 35 U.S.C. §102 inasmuch as the patent did not disclose a C1-C6 ketone used as a solvent for the aliphatic polyester-amide. Likewise, the applied reference to Higashi does not disclose an aromatic carboxylic acid or salt thereof for use as a solvent for the aliphatic polyester amide materials. Again, the Examiner is kindly invited to column 3, lines 8-37 of Higashi for the types of solvents being disclosed.

Higashi states that the "organic solvents used in the invention are preferably aliphatic organic solvents" (underlining added). Thus, Higashi cannot anticipate the use of an aromatic carboxylic acid or salt thereof as a solvent and thus cannot anticipate a solvent mixture, which contains a C1-C4 alcohol and an aromatic carboxylic acid or salt thereof.

Higashi does not disclose a ketone solvent and therefore cannot anticipate the claimed mixture of alcohol and ketone, and does not disclose an aromatic carboxylic acid solvent and thus cannot anticipate the claimed alternative solvent mixture of alcohol and aromatic carboxylic acid. Still further, Higashi cannot anticipate the mixture of alcohol, ketone and aromatic carboxylic acid as also claimed.

It is therefore believed that claims 1-12 and 18-23 patentably distinguish over the art of record and Applicant respectfully solicits favorable action on these claims.

It is believed that no charge is due with this submission. Should that determination be incorrect, then please debit Deposit Account No. 50-0548 and notify the undersigned.

Respectfully submitted,



Stuart D. Frenkel  
Reg. No. 29,500  
Attorney for Applicant

Liniak, Berenato, Longacre & White  
6550 Rockwood Drive, Ste. 240  
Bethesda, Maryland 20817  
(301) 896-0600